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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,	)	
	)	Case No.: 3:11-cr-00442-BR
Plaintiff,	)	
vs.	)	DECLARATION OF STEVEN J. SHERLAG
	)	IN SUPPORT OF MOTION FOR ISSUANCE
Justin J. Juvenile Male,	)	OF RULE 17(c) SUBPOENAS DUCES
	)	TECUM TO NORCOR JUVENILE
Defendant.	)	DETENTION FACILITY
	)	<b><u>UNDER SEAL</u></b>

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Under the penalty of perjury, I Steven J. Sherlag, hereby declare:


1. On or about August 11, 2010, I was appointed to represent defendant in a consultation representation regarding a pending criminal homicide investigation, pursuant to the Criminal Justice Act, 18 USC 3006A. On November 7, 2011, defendant was charged by information for Murder in the Second Degree, in violation of 18 U.S.C. §§ 111, 1153, and 5032 et seq. and Using and Carrying a Firearm During and in Relation to Crime of Violence, in violation of 18 U.S.C. §§ 924 (c) and 5032 et seq. My appointment has continued pursuant to the Criminal Justice Act to represent defendant in this matter.

2. The government's case-in-chief primarily relies on witness statements made against defendant. I anticipate that the government will rely on these witnesses to testify as government witnesses in this trial. Nathan Craig is a key witness to the government's case in chief, and these records that we are requesting from NORCOR directly relate to our defense theories and may attack and undermine the government's case in chief and discredit the information provided by their witness, Nathan Craig.

3. NORCOR Juvenile Detention Facility will not produce records, including juvenile records, without a court order or subpoena.

4. Because the records produced will be juvenile records, we would request that NORCOR Juvenile Detention Facility produce the requested records directly to the Court for an *in camera* examination.

5. It is further requested that the court allow the subpoenas issued to direct the NORCOR Detention Facility to produce the materials by March 22, 2013 so defendant will have an ample amount of time to review the records produced and to conduct related investigation regarding the same.

This  of March, 2013.

  
Steven J. Sherlag, OSB 931034  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

Re: USA v. Justin J. Juvenile Male; CR 11-442 BR

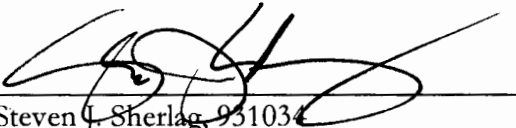
I certify that on today's date I served the foregoing:

DECLARATION OF STEVEN J. SHERLAG IN SUUPORT OF MOTION FOR  
ISSUANCE OF RULE 17(c) SUBPOENAS DUCES TECUM TO NORCOR JUVENILE  
DETENTION FACILITY

on: Craig Gabriel, Esq.  
Jane Shoemaker, Esq.  
United State's Attorney's Office  
1000 SW Third Ave., Ste. 600  
Portland, Oregon 97204  
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jane.shoemaker@usdoj.gov

By e-mailing on today's date true and correct copies thereof to said Attorneys.

This 8<sup>th</sup> of March, 2013.

  
Steven J. Sherlag, 931034  
Attorney for Defendant